



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1916

Introduced 2/20/2009, by Sen. William Delgado

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-5

from Ch. 38, par. 12-5

Amends the Criminal Code of 1961 concerning the offense of reckless conduct. Provides that the offense is also committed when a person who, while operating a motor vehicle, causes bodily harm to or endangers the bodily safety of a vulnerable user of the public way if he or she performs recklessly the acts that cause the harm or endanger safety, whether they otherwise are lawful or unlawful. Provides that the penalty is a Class A misdemeanor. If the person causes great bodily harm or permanent disability or disfigurement to a vulnerable user of the public way, the penalty is a Class 4 felony. Provides that the fine for the first offense in either case shall not exceed \$10,000. Defines "vulnerable user of the public way" as any of the following persons who are lawfully present on the roadway or shoulder of a public way: (1) pedestrians, (2) highway workers, (3) persons engaged in equine activities, (4) persons operating a farm tractor or other implement of husbandry, or (5) persons operating or using a motorcycle, bicycle, scooter, skateboard, roller skates, or in-line skates. Effective immediately.

LRB096 09561 RLC 19722 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 12-5 as follows:

6 (720 ILCS 5/12-5) (from Ch. 38, par. 12-5)

7 Sec. 12-5. Reckless conduct.

8 (a) A person who causes bodily harm to or endangers the
9 bodily safety of an individual by any means, commits reckless
10 conduct if he or she performs recklessly the acts that cause
11 the harm or endanger safety, whether they otherwise are lawful
12 or unlawful.

13 (a-5) A person who causes great bodily harm or permanent
14 disability or disfigurement by any means, commits reckless
15 conduct if he or she performs recklessly the acts that cause
16 the harm, whether they otherwise are lawful or unlawful.

17 (a-10) A person who, while operating a motor vehicle,
18 causes bodily harm to or endangers the bodily safety of a
19 vulnerable user of the public way commits reckless conduct if
20 he or she performs recklessly the acts that cause the harm or
21 endanger safety, whether they otherwise are lawful or unlawful.

22 (a-15) A person who, while operating a motor vehicle,
23 causes great bodily harm or permanent disability or

1 disfigurement to a vulnerable user of the public way commits
2 reckless conduct if he or she performs recklessly the acts that
3 cause the harm, whether they otherwise are lawful or unlawful.

4 (a-20) For purposes of subsections (a-10) and (a-15),
5 "vulnerable user of the public way" means any of the following
6 persons who are lawfully present on the roadway or shoulder of
7 a public way:

8 (1) pedestrians,

9 (2) highway workers,

10 (3) persons engaged in equine activities, as defined in
11 the Equine Activity Liability Act,

12 (4) persons operating a farm tractor or other implement
13 of husbandry, as defined in the Illinois Vehicle Code, or

14 (5) persons operating or using a motorcycle, bicycle,
15 scooter, skateboard, roller skates, or in-line skates.

16 (b) Sentence.

17 Reckless conduct under subsection (a) or subsection (a-10)
18 is a Class A misdemeanor. Reckless conduct under subsection
19 (a-5) or subsection (a-15) is a Class 4 felony. The fine for
20 the first offense under subsection (a-10) or (a-15) shall not
21 exceed \$10,000.

22 (Source: P.A. 93-710, eff. 1-1-05.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.